

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

STERN & CO.,

Plaintiff,

-against-

APPLIED DNA SCIENCES, INC.,

Defendant.

Case No. 05 CV 00202 (PKL)

**STIPULATION AND ORDER
OF DISMISSAL**

IT IS HEREBY STIPUATED AND AGREED, by and between the undersigned, the
attorneys of record for the parties in the above-captioned action, that the above-captioned action
may be discontinued, with prejudice, and without costs to either party as against the other.

Dated: New York, New York
January __, 2006

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ORDER OF DISMISSAL

IT IS ORDERED that, pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure,
the above-captioned action is dismissed with prejudice.

SO ORDERED:

Hon. Peter K. Leisure, U.S.D.J.